

FORM PTO-1390 (Modified) (REV 11-2000)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY OR AGENT NAME 344-P-USA
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		DOCKET NUMBER U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 09/937632	
INTERNATIONAL APPLICATION NO. PCT/US00/02602	INTERNATIONAL FILING DATE 31 JANUARY, 2000	PRIORITY DATE CLAIMED	
TITLE OF INVENTION IN VIVO STAIN COMPOUNDS AND METHODS OF USE TO IDENTIFY DYSPLASTIC TISSUE			
APPLICANT(S) FOR DO/EO/US DOUGLAS D. BURKETT			
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31). <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c) (2)) <ol style="list-style-type: none"> <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). <input type="checkbox"/> has been communicated by the International Bureau. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <input type="checkbox"/> is attached hereto. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). <input type="checkbox"/> have been communicated by the International Bureau. <input checked="" type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input type="checkbox"/> have not been made and will not be made. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409). <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210). <p>Items 13 to 20 below concern document(s) or information included:</p> <ol style="list-style-type: none"> <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. <input type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. <input type="checkbox"/> A substitute specification. <input type="checkbox"/> A change of power of attorney and/or address letter. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). <input checked="" type="checkbox"/> Certificate of Mailing by Express Mail <input checked="" type="checkbox"/> Other items or information: <p>Copy of previously recorded Assignment document in PCT case.</p>			

U.S. APPLICATION NO. (IF KNOWN, SEE 37 C.F.R. 1.492(e)) 09/193765	INTERNATIONAL APPLICATION NO. PCT/USOO/02602	ATTORNEY'S DOCKET NUMBER 344-P-26-USA
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24. The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

<input checked="" type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO	\$1000.00
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO	\$860.00
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO	\$710.00
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)	\$690.00
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)	\$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$1,000.00

Surcharge of **\$130.00** for furnishing the oath or declaration later than 20 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

\$130.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	8 - 20 =	0	x \$18.00	\$0.00
Independent claims	7 - 3 =	4	x \$80.00	\$320.00
Multiple Dependent Claims (check if applicable).			<input type="checkbox"/>	\$0.00

TOTAL OF ABOVE CALCULATIONS = **\$1,450.00**

<input checked="" type="checkbox"/> Applicant claims small entity status. (See 37 CFR 1.27). The fees indicated above are reduced by 1/2.	\$725.00
SUBTOTAL =	\$725.00

Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).	\$0.00
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TOTAL NATIONAL FEE = **\$725.00**

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).	<input type="checkbox"/>	\$0.00
TOTAL FEES ENCLOSED =	\$725.00	
	Amount to be:	\$
	refunded	\$

charged **\$**

- A check in the amount of **\$725.00** to cover the above fees is enclosed.
- Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.
- The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. _____ A duplicate copy of this sheet is enclosed.
- Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

William H. Drummond
DRUMMOND & DUCKWORTH
4590 MacArthur Blvd., Suite 500
Newport Beach, CA 92660


SIGNATURE

William H. Drummond

NAME

20,590

REGISTRATION NUMBER

9-24-01

DATE

09/937632

JPO Rec'd PCT/PTO 24 SEP 2001

Docket No.

344-P-26-USA

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): DOUGLAS D. BURKETT

Serial No.

Filing Date

Examiner

Group Art Unit

Invention: IN VIVO STAIN COMPOUNDS AND METHODS OF USE TO IDENTIFY DYSPLASTIC TISSUE

I hereby certify that this Filing Under 35 USC 371*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Commissioner of Patents and Trademarks, Washington, D.C.

20231-0001 on September 24, 2001*(Date)*Lynne J. Craig*(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)*EL736747978US*("Express Mail" Mailing Label Number)*

Note: Each paper must have its own certificate of mailing.